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In re Application of
Jason F. HUNZINGER
Application No. 09/990,009
Filed: November 20, 2001

DECISION ON PETITION
TO WITHDRAW HOLDING OF
ABANDONMENT

For: **ENHANCED INTER-GENERATION CDMA HARD-HANDOFF PROCEDURE**

This is a decision on the Petition to Withdraw Holding of Abandonment under 37 CFR § 1.181(a) filed January 13, 2005. No fee is required.

This application is in an abandoned status for failure to respond to the non-final Office action mailed July 1, 2004. A Notice of Abandonment has not been mailed.

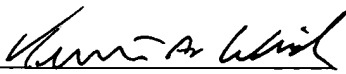
Petitioner alleges non-receipt of the non-final Office action mailed July 1, 2004. In support of the petition, petitioner has provided a statement that the office communication was not received by the petitioner. In addition, attached to and reference in the petition is a copy of the docket record where the non-received office communication would have been entered had it been received and docketed.

A review of the file finds that the U.S. Postal Service returned the original non-final Office action. Although, there was no finding of irregularity in the correspondence address, there was an obvious irregularity in mailing since the Office action was returned.

The holding of Abandonment is withdrawn.

The petition is **GRANTED**.

The application file will be forwarded to the Technology Center's technical support staff for re-mailing of the non-final Office action originally mailed on July 1, 2004. The shortened statutory period of three months will be set to begin as of the mailing thereof.


Kenneth A. Wieder
Special Program Examiner
Technology Center 2600